

## **DEPARTMENT OF THE NAVY**

NAVAL SEA SYSTEMS COMMAND 1333 ISAAC HULL AVENUE WASHINGTON NAVY YARD DC 20376-2701

> N REPLY REFER TO 4520 Ser 333/118 5 July 2011

Ms. Sandra McDermott Assistant Regional Director/Cultural Resources National Park Service 12795 Alameda Parkway Denver, CO 80225

Dear Ms. McDermott:

In accordance with the National Historic Preservation Act (NHPA) and its implementing regulations codified in 36 C.F.R. § 800.10, the Navy would like to invite the Secretary of Interior, or a representative, to participate in Section 106 consultation for the Proposed Action to develop and construct a permanent dry berth for ex-TEXAS (BB 35). The Battleship TEXAS was the first battleship to be declared a National Historic Landmark and a National Mechanical Engineering Landmark. The vessel is situated within the San Jacinto Battleground State Historic Site, which is also a National Historic Landmark.

Although ex-TEXAS is owned by the State of Texas and maintained by the Texas Parks and Wildlife Department (TPWD), the dry-berth project is considered a federal undertaking because (1) P.L. 649 of the 79<sup>th</sup> Congress authorizing the transfer of the ship to the State of Texas stipulates that the State is required to maintain the vessel in a condition that is satisfactory to the Navy, authorizing the Navy to approve any proposed modifications to the vessel, and (2) the Battleship Texas Foundation received funding through a federal grant and has agreed to give TPWD the funding for use towards the proposed dry-berth project.

The Navy, as the lead Federal agency for this undertaking, initiated Section 106 consultation pursuant to the NHPA with the Texas State Historic Preservation Officer (SHPO) to consider the effects of the proposed dry-berth project. The TPWD, as the originator and developer of the proposed dry-berth project, will participate in Section 106 consultation for ex-TEXAS as a consulting party. Announcements and status of the consultation will be posted to the Navy Inactive Ship Program's web site at http://www.navsea.navy.mil/teamships/Inactiveships

If you have any questions please contact is Jim Poles at (202) 781-0149, james.poles.ctr@navy.mil.

Sincerely,

C. R. Pietras

CAPT

USN

Program Manager

Navy Inactive Ships Program (PMS 333)

C: Kenneth Salazar, Secretary, Department of the Interior, Washington, DC John Wessels, Regional Director, National Park Service, Denver CO Russ Whitlock, State of Texas Coordinator, National Park Service, Johnson City, TX Neil Thomas, Texas Parks and Wildlife Dept. Austin, TX